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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,392

10/16/2006

Shinji Kobayashi

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OLIFF & BERRIDGE, PLC

P.O. BOX 320850

ALEXANDRIA, VA 22320-4850

EXAMINER

HINZE, LEO T

ART UNIT

PAPER NUMBER

2854

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,392	Applicant(s) KOBAYASHI ET AL.	
	Examiner LEO T. HINZE	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20060815</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities: the Brief Description of the Drawings appears to be in the wrong location.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiraga et al., US 4,970,952 A (hereinafter Hiraga) in view of Bengtsson, US 4,858,526 A (hereinafter Bengtsson).

a. Regarding claim 12:

Hiraga teaches a stamp comprising: a first print body (10-13, Fig. 1) which is fixed to a main body case (1, Fig. 1) and has a first print face (see unlabeled print faces on 10-13, Fig. 1) for forming a print image; a second body (25, Fig. 1) which has an exposure hole through which the first print face is exposed (25b, Fig. 2) and a second face for forming the print image with the first print face exposed through the exposure hole; and a restricting member which holds the second print body and restricts a distance in which the second print face is compressed when the main body case is pressed down at the time of making stamp (unlabeled cylindrical housing holding face 25 appears to limit the amount that face 25 can be compressed, Figs. 1 and 2).

Hiraga does not teach wherein the second body has a second print face.

Bengtsson teaches a first print face for forming a print image on a stamping object (3, Fig. 6); a second print face for forming a print image on said stamping object by synthesizing with the print image of said first print face (20, Fig. 3); and wherein said first print face and said second print face are matched with each other at the time of stamping (both faces stamp an image on the substrate, col. 2, ll. 44-48). The first print

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face is advantageous for printing the name of a company or the designation of a place (col. 2, ll. 45-46), and the second for printing a date (col. 2, l. 48).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Hiraga such that the second body includes a second print face for forming a print image together with the first print face, as taught by Bengtsson, because one having ordinary skill in the art would recognize that this combination would predictably allow the device of Hiraga to print additional information, such as the name of a company or the designation of a place.

b. Regarding claim 2, the combination of Hiraga and Bengtsson teaches the stamp according to claim 1, as discussed in the rejection of claim 1 above. The combination of Hiraga and Bengtsson also teaches a holding member which holds the second print body from an opposite side of the second print face (Hiraga: see upper portion of unlabeled frame member surrounding item 25, Figs. 1, 2); a frame member which nips the second print body with the holding member such that the second print face is exposed (Hiraga: see lower portion of unlabeled frame member surrounding item 25, Figs. 1, 2); and a damper member which makes contact with the main body case and the frame member, wherein the restricting member is constituted of the frame member and the damper member and when stamping is made, the damper member is compressed so that the frame member is pressed down and the exposed second print face is compressed until the frame member comes into contact with a stamping object medium (Hiraga: damper member 25a; main body 1 pushes down on spring, causing platen 25 and printing faces 10-13 to be co-planar and create an impression, where the

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amount of compression of platen 25 is stopped by the unlabeled frame surrounding platen 25).

c. Regarding claim 3, the combination of Hiraga and Bengtsson teaches the stamp according to claim 2, as discussed in the rejection of claim 2 above. The combination of Hiraga and Bengtsson also teaches wherein the first print face is disposed at a position receding from the second print face in an opposite direction of the stamping direction when no stamping is made, and the damper member is compressed so that the first print face and the second print face become flush with each other when the main body case is pressed down at the time of making stamp (Hiraga: damper 25a keeps the first printing face recessed in non-printing position, Figs. 1 and 2, but compressing damper 25a allows first printing faces 10-13 to make a print on a substrate).

d. Regarding claim 4, the combination of Hiraga and Bengtsson teaches the stamp according to claim 1, as discussed in the rejection of claim 1 above. The combination of Hiraga and Bengtsson also teaches an elastic member which makes contact with the main body case and the first print body, wherein the elastic member is compressed so that the first print face and the second print face become flush with each other when the main body case is pressed down at the time of making stamp (Hiraga: spring 25a, Fig. 1, is an elastic member).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is 571.272.2864. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571.272.2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anthony H Nguyen/
Primary Examiner, Art Unit 2854

Leo T. Hinze
Patent Examiner
AU 2854
24 October 2008